

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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***IN RE* TERRORIST ATTACKS  
ON SEPTEMBER 11, 2001**

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: **03 MDL 1570 (GBD)(SN)**

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:

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**This Document Relates to:  
Havlish, et al. v. bin Laden, et al.  
1:03-cv-9848 (GBD)(SN)**

**PLAINTIFFS' MOTION TO SERVE WRITS OF EXECUTION  
BY PRIVATE PROCESS SERVER**

**EXHIBIT A**

< 5 Results for **brill**

**RE: Follow-up to our calls and emails re: Marshals service of writs of execution**

**From:** Brill, Becky (USMS) <Becky.Brill@usdoj.gov>

**To:** Tom Mellon, III <temellon3@aol.com>

**Cc:** tfleming@wigginschields.com <tfleming@wigginschields.com>; DMitchell@jenner.com <DMitchell@jenner.com>; ttodd@wigginschields.com <ttodd@wigginschields.com>

**Date:** Thu, Aug 13, 2020 11:54 am

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Good morning Mr. Mellon,

At this time there are no updates or changes in resuming of service.

All the items you listed are correct and nothing seems to be left out. The seal can be physically raised or an electronic one if necessary. The \$300.00 deposit initially covers two non-residential locations, if more locations need to be served or are residential, we would require a higher deposit fee.

When service resumes, these materials can be sent via FedEx to the below:

U.S. Marshals Service  
Attn: Civil Section  
500 Pearl Street, Suite 400  
New York, NY 10007

Respectfully,

Becky Brill  
Administrative Support Assistant  
U.S. Marshals Service  
Southern District of New York  
500 Pearl Street, Suite 400  
New York, NY 10007  
(212) 331-7120  
Email Address: [Becky.Brill@usdoj.gov](mailto:Becky.Brill@usdoj.gov)

**From:** Tom Mellon, III <[temellon3@aol.com](mailto:temellon3@aol.com)>

**Sent:** Thursday, August 13, 2020 10:16 AM

**To:** Brill, Becky (USMS) <[BBrill@usms.doj.gov](mailto:BBrill@usms.doj.gov)>

**Cc:** [tfleming@wigginschields.com](mailto:tfleming@wigginschields.com); [DMitchell@jenner.com](mailto:DMitchell@jenner.com); [ttodd@wigginschields.com](mailto:ttodd@wigginschields.com); [TEMellon3@aol.com](mailto:TEMellon3@aol.com)

**Subject:** Follow-up to our calls and emails re: Marshals service of writs of execution

Good morning Ms. Brill,

I hope you are well. I'm checking in again to see if there is any news regarding when the Marshals Service will resume serving writs of execution in NYC. As always, any update would be greatly appreciated.

Can I also double-check what I am supposed to send in whenever service resumes? When we spoke by phone a few weeks ago, you gave me the list of materials I should send in:

1. Certified copies of the writs with the seal from the SDNY Clerk's office (you were unsure of how the Clerk's Office was putting on seals during COVID);
2. Two photocopies of the writs for each writ and for each location to be served;
3. The Marshals Service's "USM-285" forms ("US DOJ Marshals Service Process Receipt and Return"), with 2 extra photocopies for each writ and each location;
4. A law firm or cashier's check (not a personal check) for \$300.00 payable to the "U.S. Marshals Service" for each writ. (We may get some change back.); and,
5. A cover letter.

**Did I miss anything?**

Please also let me know if I can send these materials via FedEx and, if so, to whom and where.

Thanks very, very much for your help with this important matter and have a great day.

~ Tom Mellon

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**Thomas E. Mellon, III, J.D., M.B.A.**

212 W. Court St., Suite B  
Doylestown, PA 18901  
215.510.2345  
[TEMellon3@aol.com](mailto:TEMellon3@aol.com)

-----Original Message-----

From: Brill, Becky (USMS) <[Becky.Brill@usdoj.gov](mailto:Becky.Brill@usdoj.gov)>

To: Tom Mellon, III <[temellon3@aol.com](mailto:temellon3@aol.com)>  
Cc: [tfleming@wiggingschilts.com](mailto:tfleming@wiggingschilts.com) <[tfleming@wiggingschilts.com](mailto:tfleming@wiggingschilts.com)>; [DMitchell@jenner.com](mailto:DMitchell@jenner.com) <[DMitchell@jenner.com](mailto:DMitchell@jenner.com)>; [ttodd@wiggingschilts.com](mailto:ttodd@wiggingschilts.com) <[ttodd@wiggingschilts.com](mailto:ttodd@wiggingschilts.com)>  
Sent: Thu, Jul 30, 2020 4:06 pm  
Subject: RE: Follow-up to our calls and emails last week.

Good afternoon Mr. Mellon,

At this time service is still suspended. Unfortunately, I cannot offer an estimated date of when service may resume.

There are no other suggestions that can be made at this time to establish "first in line", other than to ensure all documentation is correct and in order when we are able to serve again.

Thank you,

Becky Brill  
Administrative Support Assistant  
U.S. Marshals Service  
Southern District of New York  
500 Pearl Street, Suite 400  
New York, NY 10007  
(212) 331-7120  
Email Address: [Becky.Brill@usdoj.gov](mailto:Becky.Brill@usdoj.gov)

**From:** Tom Mellon, III <[temellon3@aol.com](mailto:temellon3@aol.com)>  
**Sent:** Thursday, July 30, 2020 3:14 PM  
**To:** Brill, Becky (USMS) <[BBrill@usms.doj.gov](mailto:BBrill@usms.doj.gov)>  
**Cc:** [tfleming@wiggingschilts.com](mailto:tfleming@wiggingschilts.com); [DMitchell@jenner.com](mailto:DMitchell@jenner.com); [ttodd@wiggingschilts.com](mailto:ttodd@wiggingschilts.com); [TEMellon3@aol.com](mailto:TEMellon3@aol.com)  
**Subject:** Re: Follow-up to our calls and emails last week.

Good afternoon Ms. Brill,

I hope you are well and I'm very sorry to bother you but I'm "checking back" with you, as promised.

Specifically, I am wondering if there is any news regarding when the Marshals Service will resume serving writs of execution in NYC. Any update would be greatly appreciated!

Also, thank you for your email last week that said priority is established on a "first come, first serve" basis. Other than continuing to "check back" with you every week or two, is there any way you could suggest they we can establish our "first in line" priority by virtue of all our prior actions?

Thanks again very much for all of your help.

~ Tom Mellon

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**Thomas E. Mellon, III, J.D., M.B.A.**  
212 W. Court St., Suite B  
Doylestown, PA 18901  
215.510.2345  
[TEMellon3@aol.com](mailto:TEMellon3@aol.com)

-----Original Message-----

From: Brill, Becky (USMS) <[Becky.Brill@usdoj.gov](mailto:Becky.Brill@usdoj.gov)>  
To: Tom Mellon, III <[temellon3@aol.com](mailto:temellon3@aol.com)>  
Cc: [tfleming@wiggingschilts.com](mailto:tfleming@wiggingschilts.com) <[tfleming@wiggingschilts.com](mailto:tfleming@wiggingschilts.com)>; [DMitchell@jenner.com](mailto:DMitchell@jenner.com) <[DMitchell@jenner.com](mailto:DMitchell@jenner.com)>  
Sent: Thu, Jul 23, 2020 12:03 pm  
Subject: RE: Follow-up to our call yesterday...

Good morning Mr. Mellon,

It is first come, first serve, in this case kindly keep checking back. Priority for service of process is reserved for Orders directly from judges.

Thank you,

Becky Brill  
Administrative Support Assistant  
U.S. Marshals Service  
Southern District of New York  
500 Pearl Street, Suite 400  
New York, NY 10007  
(212) 331-7120

Email Address: [Becky.Brill@usdoj.gov](mailto:Becky.Brill@usdoj.gov)

**From:** Tom Mellon, III <[temellon3@aol.com](mailto:temellon3@aol.com)>  
**Sent:** Thursday, July 23, 2020 10:41 AM  
**To:** Brill, Becky (USMS) <[BBrill@usms.doj.gov](mailto:BBrill@usms.doj.gov)>  
**Cc:** [tfleming@wiggingschilds.com](mailto:tfleming@wiggingschilds.com); [DMitchell@jenner.com](mailto:DMitchell@jenner.com); [TEMellon3@aol.com](mailto:TEMellon3@aol.com)  
**Subject:** Follow-up to our call yesterday...

Good morning Ms. Brill,

Thanks very much for calling me and helping me yesterday with service of civil writs of execution. You really were a huge help.

One follow-up question: If there isn't a "pile" of unserved writs at your office, how do we establish priority? Asked another way, how do we get "first in line" when your office starts serving the writs of execution again?

Thank you again very much,

~ Tom Mellon

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**Thomas E. Mellon, III, J.D., M.B.A.**

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Doylestown, PA 18901  
215.510.2345  
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